

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Peter Stephenson

(b) County of Residence of First Listed Plaintiff Chester  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Daniel S. Orlow, Esq., Console Mattiacci Law,  
1525 Locust Street, 9th Fl., Philadelphia, PA 19102

**DEFENDANTS**

AT&amp;T Services, Inc.

County of Residence of First Listed Defendant Dallas  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                        |   | PTF                        | DEF                                   |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
29 U.S.C. §621, et seq.

Brief description of cause:

Plaintiff was discriminated and retaliated against because of his age.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$  
in excess of \$75,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

2/16/2021

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**DESIGNATION FORM**

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: West Chester, PA 19382  
Address of Defendant: 208 S. Akard Street, Dallas, TX 75202  
Place of Accident, Incident or Transaction: Montgomery County

**RELATED CASE, IF ANY:**

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- |  |                              |  |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 02/16/2021 \_\_\_\_\_ 311702  
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

**CIVIL: (Place a ✓ in one category only)**

**A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts  
☐ 2. FELA  
☐ 3. Jones Act-Personal Injury  
☐ 4. Antitrust  
☐ 5. Patent  
☐ 6. Labor-Management Relations  
☒ 7. Civil Rights  
☐ 8. Habeas Corpus  
☐ 9. Securities Act(s) Cases  
☐ 10. Social Security Review Cases  
☐ 11. All other Federal Question Cases  
(Please specify): \_\_\_\_\_

**B. Diversity Jurisdiction Cases:**

- ☐ 1. Insurance Contract and Other Contracts  
☐ 2. Airplane Personal Injury  
☐ 3. Assault, Defamation  
☐ 4. Marine Personal Injury  
☐ 5. Motor Vehicle Personal Injury  
☐ 6. Other Personal Injury (Please specify): \_\_\_\_\_  
☐ 7. Products Liability  
☐ 8. Products Liability – Asbestos  
☐ 9. All other Diversity Cases  
(Please specify): \_\_\_\_\_

**ARBITRATION CERTIFICATION**

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Daniel S. Orlow, counsel of record or pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☒ Relief other than monetary damages is sought.

DATE: 02/16/2021 \_\_\_\_\_ 311702  
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

PETER STEPHENSON	:	CIVIL ACTION
	:	
v.	:	
	:	
AT&T SERVICES, INC.	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

02/16/2021

**Date**

215-545-7676

**Telephone**

  
**Attorney-at-law**

215-405-2900

**FAX Number**

Plaintiff, Peter Stephenson

**Attorney for**

orlow@consolelaw.com

**E-Mail Address**

**UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

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**Peter Stephenson**  
**West Chester, PA 19382**

**Plaintiff,**

**v.**

**AT&T Services, Inc.**  
**208 S. Akard Street**  
**Dallas, TX 75202**

**Defendant**

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**CIVIL ACTION NO.**\_\_\_\_\_

**JURY TRIAL DEMANDED**

**CIVIL ACTION COMPLAINT**

**I.     INTRODUCTION**

Plaintiff, Peter Stephenson, brings this action against his former employer, AT&T Services, Inc., for discriminating against him because of his age and retaliating against him for submitting internal complaints of age discrimination. At age 65, after fifteen (15) years of dedicated service, Plaintiff was subjected to a discriminatory “Coaching Action Plan” because of his age. Shortly thereafter, Plaintiff was threatened with the issuance of a “Performance Improvement Plan,” but was never actually provided with a documented plan. The Coaching Action Plan and subsequent threat of a Performance Improvement Plan was an effort by Defendant to force Plaintiff to quit because of his age. Instead of choosing to quit, Plaintiff raised an internal complaint of age discrimination. Thereafter, Plaintiff was threatened with another Performance Improvement Plan, but again was never provided with any documented plan. Despite never providing Plaintiff with a documented Performance Improvement Plan, Defendant terminated Plaintiff’s employment on

July 16, 2018. Plaintiff was not provided with an explanation for his termination and his job duties were assigned to an employee approximately twenty (20) years younger than him.

Defendant's discriminatory and retaliatory treatment of Plaintiff violated the Age Discrimination in Employment Act, as amended, 29 U.S.C. § 621, *et seq.* ("ADEA") and the Pennsylvania Human Relations Act, as amended, 43 P.S. § 951, *et seq.* ("PHRA"). Plaintiff seeks all damages, including economic loss, compensatory damages, liquidated damages, attorneys' fees and costs, and all other relief this Court deems appropriate.

## **II. PARTIES**

1. Plaintiff, Peter Stephenson, is an individual residing in West Chester, Pennsylvania and is a citizen of the Commonwealth of Pennsylvania.

2. Defendant, AT&T Services, Inc., is a Delaware corporation with a principal place of business located at 208 South Akard Street, Dallas, Texas 75202.

3. Defendant is engaged in an industry affecting interstate commerce and regularly does business in the Commonwealth of Pennsylvania.

4. At all times material hereto, Defendant acted by and through its authorized agents, servants, workmen, and/or employees acting within the course and scope of their employment with Defendant and in furtherance of Defendant's business.

5. At all times material hereto, Defendant acted as an employer of Plaintiff within the meaning of the statutes that form the basis of this matter.

6. At all times material hereto, Plaintiff was an employee of Defendant within the meaning of the statutes that form the basis of this matter.

## **III. JURISDICTION AND VENUE**

7. The causes of action that form the basis of this matter arise under the ADEA and

the PHRA.

8. The District Court has jurisdiction over this matter pursuant to 28 U.S.C. 1332(a), as there exists complete diversity of citizenship between the parties to this matter and the amount in controversy exceeds \$75,000.

9. Venue is proper in the District Court under 28 U.S.C. § 1391(b) because a substantial portion of the events or omissions giving rise to Plaintiff's claims occurred within this District and Defendant "resides" within this District within the meaning of 28 U.S.C. § 1391(b)(1).

10. On or about January 14, 2019, Plaintiff filed a Complaint of Discrimination with the Pennsylvania Human Relations Commission ("PHRC"), complaining of the acts of discrimination and retaliation set forth herein. Attached hereto, incorporated herein, and marked as "Exhibit 1" is a true and correct copy of Plaintiff's January 14, 2019 PHRC Complaint.

11. On March 12, 2019, Plaintiff filed an Amended Complaint of Discrimination with the PHRC, complaining of the acts of discrimination and retaliation set forth herein. Attached hereto, incorporated herein, and marked as "Exhibit 2" is a true and correct copy of Plaintiff's Amended PHRC Complaint.

12. More than one year has passed since the filing of both Plaintiff's PHRC Complaint and Amended PHRC Complaint.

13. Plaintiff's PHRC Complaints were cross-filed with the Equal Employment Opportunity Commission ("EEOC").

14. On November 25, 2020, the EEOC issued to Plaintiff a Notice of Right to Sue. Attached hereto, incorporated herein and marked as "Exhibit 3" is a true and correct copy of that Notice.

15. Plaintiff has fully complied with all administrative pre-requisites for the

commencement of this action.

**IV. FACTUAL ALLEGATIONS**

16. Plaintiff was born on September 9, 1951 and was sixty-six (66) years old at the time of his termination from Defendant.

17. Plaintiff was hired by Defendant on or about November 25, 2002.

18. Plaintiff demonstrated dedication to Defendant and consistently performed his job duties in a highly competent manner.

19. Over the course of his employment with Defendant, Plaintiff held several positions in the area of technical sales support and was responsible for supporting various facets of Defendant's field sales teams.

20. Plaintiff last held the position of Application Sales Consultant, National Business Solutions and reported to Ralph Tancredi (43<sup>1</sup>), Application Sales Manager.

21. Plaintiff's job duties included, without limitation, supporting the expanded usage and implementation of mobile applications and "Internet of Things" connectivity.

22. Plaintiff was also responsible for supporting various "Wireline" products, managing contracting processes, and resolving complex customer credit issues.

23. Tancredi reported to Jack Campbell (32), Assistant Vice President.

24. Campbell (32) reported to Phil Hinson (53), Vice President Technical Sales.

25. Hinson (53) reported to Anne Chow (52), President, National Business.

26. In 2017, Plaintiff was considered a part of Defendant's National Business Solutions team and, in that capacity, supported Defendant's Ohio/Pennsylvania sales market.

27. In 2018, the sales region that Plaintiff supported became known as the "Northeast

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<sup>1</sup> All ages herein are approximations as of the date of Plaintiff's termination.

Region – Select.”

28. Plaintiff had begun reporting to Tancredi in March 2017.

29. At the time of his termination, Plaintiff was the oldest employee reporting to Tancredi and the oldest Application Sales Consultant in the “Northeast Region – Select” sales region.

30. Before Plaintiff began reporting to Tancredi, Plaintiff was not once subjected to formal discipline or corrective action of any kind.

31. Before Plaintiff began reporting to Tancredi, Plaintiff was not once made aware of any alleged deficiencies in his performance.

32. Before Plaintiff began reporting to Tancredi, Plaintiff routinely received positive performance reviews.

33. In June 2017, Plaintiff was told by Andy Shultz that Defendant wanted to “get rid of [him].”

34. On October 27, 2017, in a meeting with Tancredi, Plaintiff was placed on a Coaching Action Plan (“CAP”) for alleged poor sales performance.

35. Prior to Plaintiff being placed on a CAP, Tancredi had failed to conduct weekly 1-on-1 sessions with Plaintiff for over four months (from July through October 2017).

36. Plaintiff’s performance did not warrant the issuance of a CAP.

37. Plaintiff was the only employee directly reporting to Tancredi that was issued performance-related discipline on or about October 27, 2017.

38. The CAP was scheduled to end on February 22, 2018.

39. The terms of Plaintiff’s CAP indicated that Tancredi would conduct weekly 1-on-1 meetings with Plaintiff.



40. Tancredi failed to conduct numerous scheduled 1-on-1 meetings with Plaintiff during the course of Plaintiff's CAP.

41. On February 22, 2018, Plaintiff's CAP ended.

42. On March 13, 2018, in a meeting with Tancredi, Plaintiff was verbally threatened with being placed on a performance improvement plan ("PIP").

43. Plaintiff's performance did not warrant the threat of a PIP.

44. Plaintiff never received a documented PIP from Defendant.

45. Plaintiff was the only employee directly reporting to Tancredi that was threatened with a PIP on or about March 13, 2018.

46. Plaintiff viewed Tancredi's issuance of the CAP and the March 13, 2018 threat of a PIP as an effort to force him to quit.

47. On March 28, 2018, in separate phone calls, Plaintiff complained of age discrimination to Mark Dubansky (60), Assistant Vice President, Human Resources and Gayle Holderfield (54), Lead Employee Relations Manager.

48. Plaintiff complained that Tancredi was targeting him because of his age.

49. Plaintiff exceeded 100% of his ACES quota for March 2018.

50. On April 24, 2018, in a phone call with Holderfield, Plaintiff was told that he was not meeting overall metrics.

51. On May 23, 2018, in a meeting with Tancredi, Plaintiff was verbally threatened with another PIP.

52. Plaintiff's performance did not warrant Tancredi's May 23, 2018 threat of a PIP.

53. Plaintiff never received a documented PIP from Defendant following Tancredi's May 23, 2018 threat.

54. Plaintiff was the only employee directly reporting to Tancredi who was threatened with a PIP on or about May 23, 2018.

55. On July 16, 2018, in a meeting with Tancredi and Laura Holden (39), Regional Director, Global Business, Defendant terminated Plaintiff's employment, effective immediately.

56. Defendant did not provide Plaintiff with an explanation for his termination.

57. Plaintiff was not given any documentation in connection with his termination.

58. On July 16, 2018, after his termination meeting, in separate phone calls with Dubansky, Holderfield, and Mark Dadson (54), Human Resources Business Partner, Plaintiff complained that he had been targeted, and terminated from Defendant, because of his age.

59. On July 16, 2018, following the above meeting and phone calls, Plaintiff requested that his termination be characterized as a retirement so that he would be afforded full retirement benefits.

60. To be afforded full retirement benefits Plaintiff was required to send an email to Holderfield stating that he was announcing his retirement, effective immediately.

61. Plaintiff was Tancredi's only direct report terminated on July 16, 2018.

62. Following Plaintiff's termination, Defendant retained younger employees directly reporting to Tancredi, including the following: David Lewis (40), Application Sales Consultant; James Lesko (46), Application Sales Consultant; and William Kroemer (52), Application Sales Consultant.

63. Defendant assigned job duties formerly held by Plaintiff to David Lewis.

64. Defendant discriminated against Plaintiff based on his age by placing him on a CAP, threatening him with two PIPs, and terminating his employment.

65. Defendant retaliated against Plaintiff based on his age discrimination complaints by threatening him with a PIP and terminating his employment.

66. Plaintiff's age and internal complaints of age discrimination were each substantial, motivating and/or determinative factors in Defendant's discriminatory and retaliatory treatment of him, including subjecting him to a CAP, threatening him with two PIPs, and terminating his employment.

67. As a direct and proximate result of the discriminatory and retaliatory conduct of Defendant, Plaintiff has in the past incurred, and may in the future incur, a loss of earnings and/or earning capacity, pain and suffering, embarrassment, humiliation, loss of self-esteem, mental anguish, and loss of life's pleasures, the full extent of which is not known at this time.

**COUNT I – ADEA**

68. Plaintiff incorporates herein by reference the above paragraphs as if set forth herein in their entirety.

69. By committing the foregoing acts of discrimination and retaliation against Plaintiff, Defendant has violated the ADEA.

70. Defendant acted willfully and intentionally thereby warranting the imposition of liquidated damages.

71. As a direct and proximate result of Defendant's violations of the ADEA, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs.

72. Plaintiff is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory and retaliatory acts unless and until this Court grants the relief requested herein.

73. No previous application has been made for the relief requested herein.

**COUNT II – PHRA**

74. Plaintiff incorporates herein by reference the above paragraphs as if set forth herein in their entirety.

75. By committing the foregoing acts of discrimination and retaliation Defendant has violated the PHRA.

76. As a direct and proximate result of Defendant's violations of the PHRA, Plaintiff has sustained the injuries, damages, and losses set forth herein and has incurred attorneys' fees and costs.

77. Plaintiff is now suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory and retaliatory acts unless and until this Court grants the relief requested herein.

78. No previous application has been made for the relief requested herein.

**RELIEF**

WHEREFORE, Plaintiff seeks damages and legal and equitable relief in connection with Defendant's unlawful, discriminatory, and retaliatory conduct, and specifically prays that this Court grant the following relief to Plaintiff by:

- (a) declaring the acts and practices complained of herein to be in violation of ADEA;
- (b) declaring the acts and practices complained of herein to be in violation of the PHRA;
- (c) enjoining and permanently restraining the violations alleged herein;
- (d) entering judgment against Defendant and in favor of Plaintiff in an amount to be determined;
- (e) awarding damages to make Plaintiff whole for all lost earnings, earning capacity

and benefits, past and future, which Plaintiff has suffered or may suffer as a result of Defendants' unlawful conduct;

- (f) awarding compensatory damages to Plaintiff for past and future pain and suffering, emotional upset, mental anguish, humiliation, and loss of life's pleasures, which Plaintiff has suffered or may suffer as a result of Defendants' unlawful conduct;
- (g) awarding liquidated damages to Plaintiff under the ADEA;
- (h) awarding Plaintiff such other damages and relief as is appropriate under the statutes that form the basis of this matter;
- (i) awarding Plaintiff the costs of suit, expert fees and other disbursements, and reasonable attorneys' fees; and
- (j) granting such other and further relief as this Court may deem just, proper, or equitable including other equitable and injunctive relief providing restitution for past violations and preventing future violations.

**CONSOLE MATTIACCI LAW, LLC**

Dated: February 16, 2021

By:



Daniel S. Orlow, Esquire  
1525 Locust St., Ninth Floor  
Philadelphia, PA 19102  
Tel: (215) 545-7676  
Fax: (215) 545-8211  
Attorneys for Plaintiff

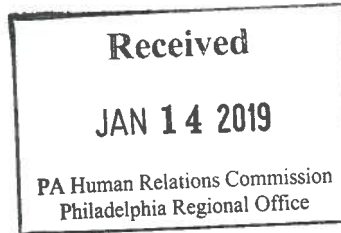
# Exhibit 1



Law Offices of

Willig, Williams & Davidson

Twenty-Fourth Floor  
1845 Walnut Street  
Philadelphia, Pennsylvania 19103  
(215) 656-3600  
www.wwdlaw.com



Ryan Allen Hancock  
Phone: (215) 656-3679  
Fax: (215) 561-5135  
rhancock@wwdlaw.com

January 14, 2019

200800-636

Via Hand-Delivery

Attn: Intake  
Pennsylvania Human Relations Commission  
110 N. 8<sup>th</sup> Street  
Philadelphia, PA 19107

Re: Stephenson v. AT&T Services, Inc.

Dear Sir/Madam:

I am enclosing two copies of a Complaint with an executed Verification.  
Please ensure that the Complaint is cross filed with the EEOC. Finally, file one copy and  
return a time stamped copy to our courier.

Thank you in advance for your kind assistance.

Very truly yours,

Ryan Allen Hancock

RAH/djw  
Enclosures



Received

JAN 14 2019

**PENNSYLVANIA HUMAN RELATIONS COMMISSION  
EMPLOYMENT DISCRIMINATION QUESTIONNAIRE**

PA Human Relations Commission  
Philadelphia Regional Office

**1. YOUR CONTACT INFORMATION**Name PETER G. STEPHENSONAddress [REDACTED]

Street Apt.  
WEST CHESTER PA 19382  
City State Zip Code

Phone Number: (H) [REDACTED] (Cell) [REDACTED]Work: [REDACTED] E-mail address: [REDACTED]

Name, address and phone number of a person, who does **NOT** live with you and will know how to contact you:

Name CHRISTINA HERTING Phone Number [REDACTED]

Address [REDACTED] WEST CHESTER, PA 19382  
Street City State Zip Code

**2. AGAINST WHAT EMPLOYER DO YOU WANT TO FILE YOUR COMPLAINT?**Employer Name AT&T SERVICES, INC.

(Please use your employer's name as indicated on your paycheck or W-2 form)

Address in PA 200 N. WARNER RD., KING OF PRUSSIA PA 19406  
Street City State Zip Code

Phone Number 210-821-4105 E-mail address: [REDACTED]Pennsylvania county where you were harmed: MONTGOMERY / DELAWARE**NUMBER OF INDIVIDUALS WHO WORK FOR THE EMPLOYER:**

☐ Fewer than 4 ☐ 4 to 14 ☐ 15-20 ☒ 20+

Type of Business TELECOMMUNICATIONSIs the employer a federal agency? ☐ Yes ☒ No**3. DESCRIBE HOW YOU WERE HARMED, AND WHEN, SO WE CAN DETERMINE IF WE CAN ASSIST YOU. Check all that apply.**Write the date(s) you were harmed beside the discriminatory event or action:

☐ Discharge ☐ Lay-Off ☐ Failure to Recall  
☐ Forced Transfer ☐ Denied Transfer ☐ Demotion  
☐ Forced Leave ☐ Leave Denied ☐ Unequal Wages



☐ Unequal Benefits \_\_\_\_\_ ☐ Failure to Hire \_\_\_\_\_ ☐ Failure to Promote \_\_\_\_\_  
☒ Discipline (Suspension, Warning, etc.) <sup>SEE</sup> ATTACHED ☐ Harassment\* \_\_\_\_\_

\*Complete question #7 if you were harassed

☒ Forced to Quit 7/16/18  
 Not accommodated because of your: ☐ Disability \_\_\_\_\_ ☐ Religion \_\_\_\_\_

**OTHER**, please be specific: \_\_\_\_\_

**4. DO YOU FEEL YOU WERE TREATED DIFFERENTLY (DISCRIMINATED AGAINST) BECAUSE OF ANY OF THE CHARACTERISTICS BELOW?**

The commission can investigate your complaint only if you believe you were treated differently and harmed because of your race, color, religion, ancestry, age, sex, national origin, non-job related disability or the use of a guide or support animal for blindness, deafness or physical disability. For example, if you feel you were treated worse than someone else because of your race, please indicate race as the reason. If you feel you were treated differently because of your race and sex, please check both race and sex. **Only check reasons which explain why you were harmed.** Also, please identify your race, color, religion, national origin or ancestry, etc. **if** you were discriminated against based on those factors.

☒ Male ☐ Female ☐ Pregnant

☒ Age (40 or older only): Date of Birth 9/9/51

☐ Race \_\_\_\_\_ ☐ Color \_\_\_\_\_

☐ Religion \_\_\_\_\_ ☐ Ancestry \_\_\_\_\_

☐ National Origin (country in which you were born) \_\_\_\_\_

☐ Association with a person of a different race than your own: \_\_\_\_\_

Your race \_\_\_\_\_ the other person's race \_\_\_\_\_

☐ Use of a guide or support animal \_\_\_\_\_

☐ Refusal to perform, participate in, or cooperate in abortion or sterilization services

☐ GED ☐ Other \_\_\_\_\_

☐ I have a disability. (please complete #8) ☐ The employer treats me as if I am disabled.

☐ I had a disability in the past. (please complete #8)

☐ I have a relationship or association with someone who has a disability. (please complete #8)

☐ **RETALIATION**

If you believe you were **harmed** because you complained about what you believed to be unlawful discrimination, because you **filed** a complaint about unlawful discrimination, or because you assisted someone else in complaining about discrimination, please complete the following information.

Date you filed a complaint with the PA Human Relations Commission \_\_\_\_\_

If you filed a complaint with another agency, list the agency's name and date of filing:

Date you complained about discrimination to a manager 3/28/18

Date you assisted someone in complaining about discrimination \_\_\_\_\_

**5. WHEN WERE YOU HIRED OR WHEN DID YOU APPLY FOR A JOB WITH THE EMPLOYER?**

Date you became an employee: 11/25/2002

Position for which you were hired: DATA SALES SPECIALIST

What was your position at the time you were harmed? APPLICATION SALES CONSULTANT

If you were seeking to be hired by an employer:

When did you apply? \_\_\_\_\_ When did you learn you were not hired? \_\_\_\_\_

**6. STATE THE REASONS THE EMPLOYER GAVE YOU FOR ACTIONS THAT HARMED YOU.**

NOT MEETING PERFORMANCE OBJECTIVES

Who told you about the employer's reasoning for the action? Include his or her job title.

RALPH TANCREDI - APPLICATION SALES MANAGER

When were you told about the action taken against you? (Date or Dates)

10/27/17, 3/13/18, 5/23/18, 7/16/18 (SEE TIMELINE ATTACHED)

If you were given no reason, please check here. ☐

Regarding how you were harmed, please identify a person or persons who were treated better than you. For example, as a **male employee** you were disciplined for a work violation, but a **female employee** who committed the same work violation was not disciplined.

Name of employee - First and Last (if known)

STAN MOYER

How is this person different from you? For example, what is his or her race, age, religion, etc.?

STAN MAY BE SEVERAL YEARS YOUNGER

Please explain **exactly** how this person was treated better or differently than you. Include dates.

THROUGHOUT EARLY 2018, STAN TOLD ME ON SEVERAL OCCASIONS THAT RALPH HAD THREATENED TO PUT HIM ON "A PLAN" BECAUSE OF POOR PERFORMANCE, BUT I AM NOT AWARE THAT WAS EVER DONE.

If you cannot identify someone who was treated better or differently than you, you need to describe an incident, statement, etc. which can be investigated, and which directly relates to why you were treated differently than someone else.

**7. IF YOU CHECKED ONE OF THE FOUR DISABILITY CATEGORIES IN #4, ANSWER THE FOLLOWING QUESTIONS.**

What is your disability? \_\_\_\_\_

How long have you had this disability and when did it start? \_\_\_\_\_

Do you still have this disability? ☐ yes ☐ no

If yes, how much longer do you expect to have the disability? \_\_\_\_\_

What major life activities do **you have great difficulty performing** because of your disability (Check all that apply.)

- ☐ Seeing ☐ Hearing ☐ Bending ☐ Walking ☐ Lifting ☐ Stooping ☐ Turning  
☐ Climbing ☐ Running ☐ Talking ☐ Standing for long periods  
☐ Sitting for long periods ☐ Caring for yourself ☐ Thinking ☐ Concentrating  
☐ Relating to Others

Other Major Life Activities (**Be specific**) \_\_\_\_\_

If you have had a disability in the past, when did it start, and what date did it end? \_\_\_\_\_

If your employer treats you as if you are disabled: What disability do they think or believe you have? \_\_\_\_\_

Who are the people that are treating you as disabled (names and positions or titles)? \_\_\_\_\_

Why do you think that these people think or believe you have a disability? \_\_\_\_\_

How did your employer learn about your disability? \_\_\_\_\_

On what date did they learn about your disability? \_\_\_\_\_

Which specific manager/official/agent) learned about your disability? (include title or position) \_\_\_\_\_

If you are related to someone who has a disability, what is your relationship to this person? \_\_\_\_\_

What is this person's disability? \_\_\_\_\_

How and on what date did the employer learn about this person's disability? \_\_\_\_\_

Did you ask for an accommodation or assistance in order to do your job? ☐ yes ☐ no

IF YES,

(1) To whom did you make your request? \_\_\_\_\_

(2) What date was the request made? \_\_\_\_\_

(3) Explain what the accommodation or assistance was that you requested, and why.

\_\_\_\_\_  
\_\_\_\_\_

Did the employer provide your requested accommodation or assistance? ☐ yes ☐ no

If so, on what date? \_\_\_\_\_

Did the employer provide some other accommodation or assistance instead? ☐ yes ☐ no

If yes, please explain. \_\_\_\_\_

\_\_\_\_\_

Did the employer deny your request for an accommodation or assistance? ☐ yes ☐ no

if so, who denied your request?

\_\_\_\_\_

What date was the request denied? \_\_\_\_\_

What reason was given to you for the denial? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**8. IF YOU CHECKED THAT YOU WERE HARASSED UNDER #3, ANSWER THE FOLLOWING QUESTIONS AS COMPLETELY AS POSSIBLE.**

Name the person(s) who harassed you: \_\_\_\_\_

His or her position or job title \_\_\_\_\_

When were you harassed? Starting date \_\_\_\_\_ Ending date \_\_\_\_\_

Is the harassment still continuing? ☐ yes ☐ no

How often did the harassment occur? As well as possible, please indicate **date, month and year** of each incident and how often the harassing actions occurred.

☐ One time only \_\_\_\_\_ ☐ Once a day \_\_\_\_\_

☐ Several times daily \_\_\_\_\_

☐ multiple times/week \_\_\_\_\_

☐ multiple times/month \_\_\_\_\_

Please provide two or three examples of the harassment you experienced.

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Did you consider any of the above acts of harassment to be especially severe and/or offensive?

☐ Yes ☐ No If so, please explain why. \_\_\_\_\_

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Did the harassment have a negative or harmful effect on your work environment, health or personal life? If so, please explain:

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Did you complain to anyone about the harassment? ☐ Yes ☐ No

To whom did you complain?

Name \_\_\_\_\_

Position or job title \_\_\_\_\_

What date did you complain? \_\_\_\_\_

Did the harassment stop after you complained about it? ☐ Yes ☐ No

If it ended, on what date did it stop? \_\_\_\_\_

After you complained, were any other actions taken against you? (for example - discipline, discharge, etc.) ☐ Yes ☐ No

What were the actions? \_\_\_\_\_

On what dates did they occur? \_\_\_\_\_

Who took the action against you? \_\_\_\_\_

Did this person know that you complained about the harassment? ☐ Yes ☐ No

Please identify someone who is different than you and who was treated better:

Name \_\_\_\_\_

Position or job title \_\_\_\_\_

Reason they were treated better than you as discussed in #4 above: \_\_\_\_\_

How were they treated better regarding the harassment? \_\_\_\_\_

**9. HAVE YOU BEEN INVOLVED IN ANY COURT ACTION REGARDING THIS MATTER? (COURT ACTION INITIATED BY YOU OR ANYONE ELSE.) IF SO, PLEASE SPECIFY THE COURT AND THE DATE FILED, TO THE BEST OF YOUR MEMORY.**

☐ Yes ☒ No Court City County State Date filed

**10. IF YOU HAVE FILED THIS COMPLAINT WITH ANY OTHER LOCAL, STATE OR FEDERAL AGENCY, PLEASE ANSWER THE FOLLOWING:**

Name of the agency with which you filed \_\_\_\_\_

Date of filing \_\_\_\_\_

Inquiry or Complaint number \_\_\_\_\_

**11. IF YOU WILL HAVE AN ATTORNEY REPRESENTING YOU ON THIS MATTER, PLEASE HAVE YOUR ATTORNEY SEND US A LETTER THAT CONFIRMS THIS. (YOU DO NOT NEED AN ATTORNEY TO FILE A COMPLAINT.)**

**YOU MUST SIGN AND DATE THIS FORM BEFORE RETURNING IT.**

☒ I hereby verify that the statements contained in this form are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 PA.C.S. Section 4904, relating to unsworn falsification to authorities.

Signature \_\_\_\_\_

*Peter G. Johnson*

Date \_\_\_\_\_

*1/11/19*

**IF YOU HAVE OTHER INFORMATION YOU BELIEVE WE NEED TO KNOW TO HELP US UNDERSTAND YOUR COMPLAINT, PLEASE PROVIDE IT BELOW. FEEL FREE TO ATTACH ADDITIONAL PAGES TO DESCRIBE WHAT HAPPENED TO YOU AS COMPLETELY AS POSSIBLE.**

*SEE ATTACHED TIMELINE*

# Exhibit 2

3. I, Peter G. Stephenson, the Complainant herein, allege that I was subjected to unlawful discrimination because of my age (66) and unlawful retaliation my complaints of age discrimination as set forth below.



**Discrimination and Retaliation**

**A. I specifically allege:**

[1] I was hired by Respondents on or about November 25, 2002.

[2] I had more than fifteen (15) years of service at Respondents.

[3] I consistently performed my job duties in a highly competent manner.

[4] I was age sixty-six (66) at the time of my termination, and my birth date is September 9, 1951.

[5] I last held the position of Application Sales Consultant, National Business Solutions.

[6] I last reported to Ralph Tancredi (43<sup>1</sup>), Application Sales Manager. Tancredi (43) reported to Jack Campbell (32), Assistant Vice President. Campbell (32) reported to Phil Hinson (53), Vice President Technical Sales. Hinson (53) reported to Anne Chow (52), President, National Business.

[7] In March 2017, I began reporting to Tancredi (43).

[8] I was the oldest employee reporting to Tancredi (43).

[9] Before I began reporting to Tancredi (43), I had no performance or disciplinary issues and no indication that I was underperforming or that my job was in jeopardy.

[10] Before I began reporting to Tancredi (43), I received positive performance reviews.

[11] In June 2017, I was told, without explanation, that Respondents wanted to “get rid of me.”

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<sup>1</sup> All ages herein are approximations.

[12] On October 27, 2017, in a meeting with Tancredi (43), Respondents placed me on a Coaching Action Plan ("CAP"). My performance did not warrant a CAP. The CAP was scheduled to end on February 22, 2018.

[13] Respondents placed me on a CAP because of my age.

[14] I was, to my knowledge and belief, Tancredi's only direct report who was placed on a CAP on October 27, 2017.

[15] Respondents failed to provide me with any explanation as to how my performance was allegedly worse than that of younger employees who were not placed on a CAP.

[16] I submitted weekly activity tracking reports to Tancredi (43).

[17] Tancredi (43) canceled scheduled meetings with me.

[18] On February 22, 2018, my CAP ended.

[19] On March 13, 2018, in a meeting with Tancredi (43), Respondents placed me on a Performance Improvement Plan ("PIP"). I was told that the PIP was for a thirty (30) day period. I received no documents in connection with the PIP.

[20] Respondents placed me on a PIP because of my age.

[21] I was, to my knowledge and belief, Tancredi's only direct report who was placed on a PIP on March 13, 2018.

[22] Respondents failed to provide me with any explanation as to how my performance was allegedly worse than that of younger employees who were not placed on a PIP.

[23] I submitted weekly activity tracking reports to Tancredi (43).

[24] On March 28, 2018, in separate phone calls with Mark Dubansky (60), Assistant Vice President, Human Resources, and Gayle Holderfield (54), Lead Employee

Relations Manager, I complained of age discrimination. I complained that Tancredi (43) was targeting me because of my age. Respondents did not deny the same.

[25] Respondents failed to remedy or prevent the age discrimination against me.

[26] On April 13, 2018, my PIP ended.

[27] On April 24, 2018, in a phone call with Holderfield (54), I was told that I was not meeting overall metrics. I stated that I exceeded quota in March 2018, which should have removed me from the PIP, based on Tancredi's statements to me. Holderfield (54) did not deny the same.

[28] On May 23, 2018, in a meeting with Tancredi (43), Respondents placed me on another PIP. I was told that the PIP would end on June 21, 2018. I received no documents in connection with the PIP. I stated that my results had been over one hundred percent (100%) in March 2018. Tancredi (43) did not deny the same.

[29] Respondents placed me on a PIP because of my age and/or my complaints of age discrimination.

[30] I was, to my knowledge and belief, Tancredi's only direct report who was placed on a PIP on May 23, 2018.

[31] Respondents failed to provide me with any explanation as to how my performance was allegedly worse than that of younger employees who were not placed on a PIP.

[32] I submitted weekly activity tracking reports to Tancredi (43).

[33] On June 21, 2018, my PIP ended.

[34] On July 16, 2018, in a meeting with Tancredi (43) and Laura Holden (39), Regional Director, Global Business, Respondents terminated my employment, effective

immediately. Respondents provided me with no explanation for my termination. I was not given any documents in connection with my termination.

[35] Respondents terminated my employment because of my age and/or my complaints of age discrimination.

[36] On July 16, 2018, after the above meeting, in separate phone calls with Dubansky (60), Holderfield (54), and Mark Dadson (54), Human Resources Business Partner, I complained of age discrimination. I complained that I was targeted because of my age. Respondents did not deny the same.

[37] Respondents failed to remedy or prevent the age discrimination and/or retaliation against me.

[38] On July 16, 2018, following the above meeting and phone calls, I requested that my termination be characterized as a retirement from Respondents so that I would be afforded full retirement benefits. To be afforded full retirement benefits, I was required to send an email to Holderfield (54), stating that I was announcing my retirement, effective immediately.

[39] I was Tancredi's only direct report terminated on July 16, 2018.

[40] Respondents retained all younger employees directly reporting to Tancredi (43), including the following: David Lewis (40), Application Sales Consultant; James Lesko (46), Application Sales Consultant; and William Kroemer (52), Application Sales Consultant. I was qualified, if not more qualified, to perform these employees' positions.

[41] Respondents have placed other older employees on a CAP and/or a PIP in an effort to push them out.

[42] Respondents assigned my job duties to Lewis (40). I was qualified, if not more qualified, to perform my job duties than the substantially younger employee to whom Respondents assigned my job duties.

[43] Respondents failed to provide me with any explanation, including the selection criteria, as to why I was terminated and the younger employees were retained.

[44] Respondents failed to provide me with any explanation as to how my performance was allegedly worse than that of younger employees who were retained.

[45] Respondents discriminated against me based on my age in subjecting me to a hostile work environment, placing me on a CAP, placing me on PIPs, and terminating my employment.

[46] Respondents retaliated against me based on my age discrimination complaints in subjecting me to a hostile work environment, placing me on a PIP, and terminating my employment.

[47] Respondents' age discriminatory and retaliatory conduct toward me has caused me emotional distress.

[48] Respondents have an age discriminatory bias and a pattern and practice of discriminating against older employees and favoring younger employees.

[49] **I bring this Complaint as a class and pattern and practice Complaint on behalf of myself and any and all current or former employees of Respondents who are age forty (40) and over, and who have been discriminated against based on age in connection with being subjected to a hostile work environment, hiring, failure to promote, and termination.**

B. Based on the aforementioned, I allege that Respondents have discriminated against me because of my age (66) and retaliated against me based on my complaints of age discrimination, in violation of the Age Discrimination in Employment Act, as amended, 29 U.S.C. § 623 *et seq.* ("ADEA"), and the Pennsylvania Human Relations Act, as amended, 43 P.S. § 951, *et seq.* ("PHRA").

4. The allegations in Paragraph 3 hereof constitute unlawful discriminatory practices in violation of:

  X   **Pennsylvania Human Relations Act (Act of October 27, 1955, P.L.**

**744, as amended) Section 5 Subsection(s):   (a); (d)**

       Section 5.1 Subsection(s) \_\_\_\_\_

       Section 5.2 Subsection(s) \_\_\_\_\_

       **Pennsylvania Fair Educational Opportunities Act (Act of July 17, 1961, P.L. 766, as amended) Section 4 Subsection(s) \_\_\_\_\_**

5. Other action based upon the aforesaid allegations has been instituted by the Complainant in any court or before any other commission within the Commonwealth of Pennsylvania as follows:

  X   **This charge will be referred to the EEOC for the purpose of dual filing.**

6. The Complainant prays that Respondents be required to:

- (a) Make the Complainant whole.
- (b) Eliminate all unlawful discriminatory practice(s) and procedure(s).
- (c) Remedy the discriminatory effect of past practice(s) and procedure(s).


(d) Take further affirmative action necessary and appropriate to remedy the violation complained of herein.

(e) Provide such further relief as the Commission deems necessary and appropriate.

**VERIFICATION**

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 P.A.C.A. Section 4904, relating to unsworn falsification to authorities.

3/12/19  
(Date Signed)

  
(Signature) Peter G. Stephenson  
[REDACTED]  
West Chester, PA 19382



# Exhibit 3

**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)**

To: **Peter G. Stephenson**  
 [REDACTED]  
**West Chester, PA 19382**

From: **Philadelphia District Office**  
**801 Market Street**  
**Suite 1000**  
**Philadelphia, PA 19107**

☐

*On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

**17F-2020-60157**

**Kurt Jung,**  
**State, Local and Tribal Program Manager**

**(267) 589-9749**

*(See also the additional information enclosed with this form.)*

**NOTICE TO THE PERSON AGGRIEVED:**

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

☒

The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



11/25/2020

Enclosures(s)

**Jamie R. Williamson,**  
**District Director**

*(Date Mailed)*

cc: **Daniel S. Orlow Esq.**  
**(Charging Party Attorney)**

**AT&T, Inc. and AT&T Services, Inc.**  
**Legal Department**

cc: ***(Sent by e-mail only: orlow@consolelaw.com; )***

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